

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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Thomas Rios,

Plaintiff,

v.

Griffen, et al.,

Defendants.

Case No. 2:24-cv-01184-APG-BNW

ORDER

Before the Court is Plaintiff's Motion for Leave to File Exhibits. ECF No. 36. Plaintiff is incarcerated and proceeding pro se. He moves this Court to "submit" and "re-submit" exhibits (ECF No. 36-1), including inmate request forms and emergency grievances. *Id.* No response or reply is needed to resolve this motion.

As explained in the Advisory Letter, "[t]he parties may not file evidence with the Court until the course of litigation brings the evidence into question." ECF No. 2 at 3. Evidence, such as prison grievance forms or medical records, should not be submitted until it is necessary to do so, for example, in connection with a motion for summary judgment or upon the Court's request. *See Townsend v. Hemela*, No. 1:19-CV-01054-BAMPC, 2019 WL 13094268, at *1 (E.D. Cal. Sept. 16, 2019). Here, Plaintiff seeks to file exhibits even though the circumstances do not indicate that it is necessary to do so.


In addition, Plaintiff alludes to his first, second, and third amended complaints, but it is unclear whether he seeks to attach the exhibits to one or all of these complaints. ECF No. 36 at 1. But even if this was Plaintiff's intent, pro se plaintiffs do not need to attach exhibits to their complaints to prove their allegations. For purposes of screening and deciding a motion to dismiss, courts accept factual allegations as true. *See Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (explaining that courts must accept factual allegations, but not legal conclusions, as true).

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1 Because the circumstances here do not necessitate filing of the exhibits at ECF No. 36-1,
2 **IT IS ORDERED** that Plaintiff's motion (ECF No. 36) is **DENIED**.

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4 DATED: May 20, 2025

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7 BREND A WEKSLER
8 UNITED STATES MAGISTRATE JUDGE
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